CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Fo	orce		Discourt.	U.S.
Cassandra Fenkel		Squad #10	201509517	☑ A	buse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:		Pre	cinct:	18	Mo. SOL	EO SOL
Saturday, 11/07/2015 1:00 AM		136th Avenue and Spri and the 105th precinct		1	05	5	/7/2017	5/7/2017
Date/Time CV Reported		CV Reported At:	How CV Reported:	Da	ate/Time	Rece	ived at CCF	RB
Mon, 11/09/2015 3:08 PM		CCRB	Phone	M	on, 11/0	9/201	5 3:08 PM	
Complainant/Victim	Type	Home Addre	ss					
Subject Officer(s)	Shield	TaxID	Command					
1. Officers								
2. POM Sheldon Malcolm	22436	943512	105 PCT					
3. POM James Stgermain	08443	949691	105 PCT					
Officer(s)	Allegatio	on			Inve	stiga	tor Recon	nmendation
A.POM Sheldon Malcolm	Abuse: P § 87(2)(b)	O Sheldon Malcolm stop and § 87(2)(b)	pped the vehicle in v					
B.POM James Stgermain	Abuse: P	O James Stgermain stop and § 87(2)(b)	were occupant					
C.POM Sheldon Malcolm	Abuse: P § 87(2)(b) lot.	O Sheldon Malcolm det in the 105th pr	ained § 87(2)(b) recinct stationhouse	and parkin	g			
D.POM James Stgermain	Abuse: P § 87(2)(b) lot.	O James Stgermain deta in the 105th pr	nined ^{§ 87(2)(b)} recinct stationhouse j	and parkin	g			
E. Officers	Abuse: C	Officers threatened to arre	est § 87(2)(b)					
F. Officers		Officers searched the veh as an occupant.	icle in which § 87(2)(b)					
G. Officers	Abuse: C	Officers damaged § 87(2)(b)	s property.					
§ 87(4-b), § 87(2)(g)								

Case Summary

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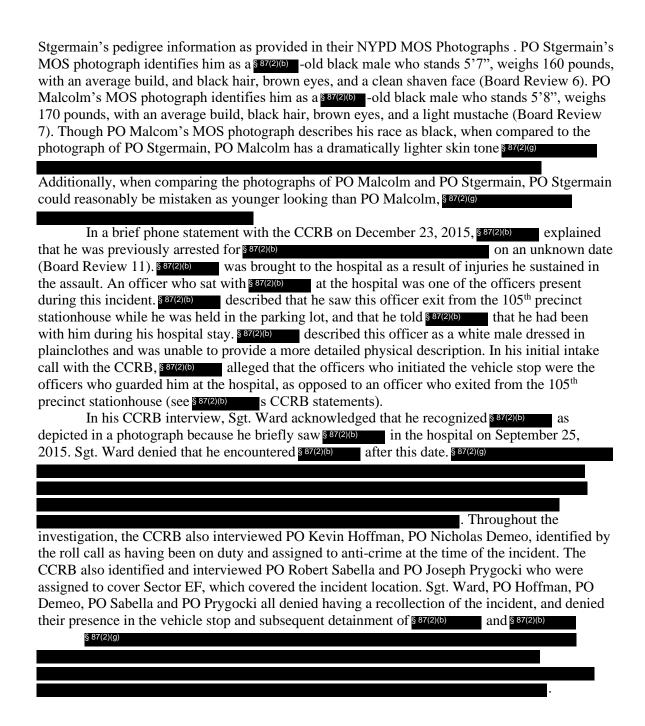
	Civilian and Officer CCRB Histories
•	This is § 87(2)(b) first CCRB complaint (Board Review 3).
•	has filed five other complaints with the CCRB, two of which were referred to the
	Internal Affairs Bureau. § 87(2)(b)
•	PO Malcolm has been a member of service for 9 years. PO Malcolm has had one prior CCRB
	complaint filed against him, case #201401184, involving three allegations including that of a
	vehicle stop. None of the allegations against PO Malcolm were substantiated, \$87(2)(9)
	(Board Review 4).
•	PO Stgermain has been a member of service for 5 years. PO Stgermain has had one prior
	CCRB complaint filed against him, case #201502193. PO Stgermain was cited for other misconduct for providing a false official statement \$87(4-5) \$87(2)(9)
	The NYPD disposition for this allegation is not available at this time (Board Review 4).
	The NTI D disposition for this anegation is not available at this time (Doard Review 4).
	Findings and Recommendations
	I MANAGO WALL ACCOMMISSION
Ex	planation of Subject Officer Identification
	In a phone call with \$87(2)(b) on December 23, 2015, \$87(2)(b) stated that he had
par	ticipated in a photo array with Det. Mark Sinatra of the Internal Affairs Bureau. A search of
the	CTS database confirmed that there was a Sgt. Mark Sinatra assigned to the Internal Affairs
Bu	reau.
	§ 87(2)(e), § 87(2)(f)
	On December 17, 2015, Carl Circum and Jack Jamber 2018 (1997/09/9)
COT	On December 17, 2015, Sgt. Sinatra conducted a photo array with \$87(2)(b) assisting of officers assigned to the 105 th precinct anti-crime team.
	ntified Malcolm as one of the officers he interacted with. § 87(2)(b) was also shown a photo
	ay of officers from the 105 th precinct anti-crime team, but was unable to identify anyone.
arr	The CCRB conducted a photo array with \$87(2)(b) on January 21, 2016. \$87(2)(b)
wa	s shown 4 photographic arrays including PO Ryan Hoffman, PO Nicholas Demeo, PO
	germain, and Malcolm, identified by the roll call as members of the 105 th precinct anti-crime
	m who were working at the time of the incident (Board Review 5). [887(2)(b)] positively
	ntifed PO Stgermain as the officer who stopped his vehicle.
	According to both the roll call and the CCRB testimonies of PO Malcolm and PO
Stg	germain, the officers were assigned to anti-crime and working together at the time of the
inc	ident. In his CCRB testimony, §87(2)(b) described the two officers who initiated the vehicle

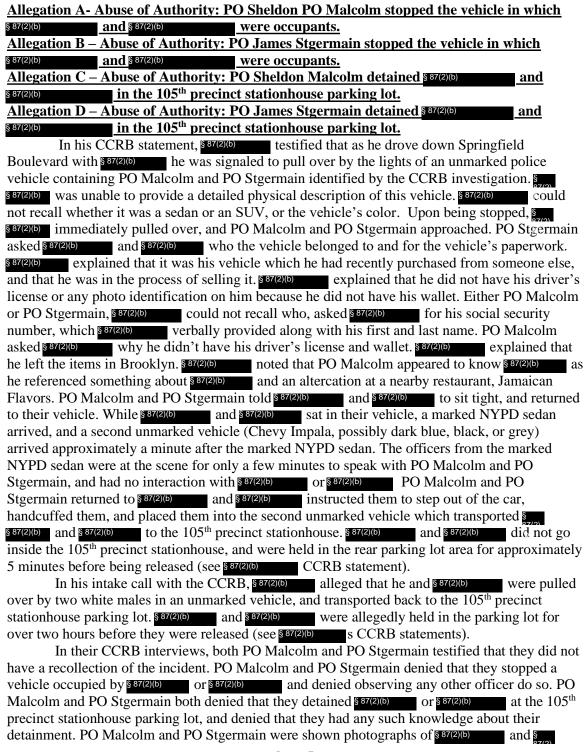
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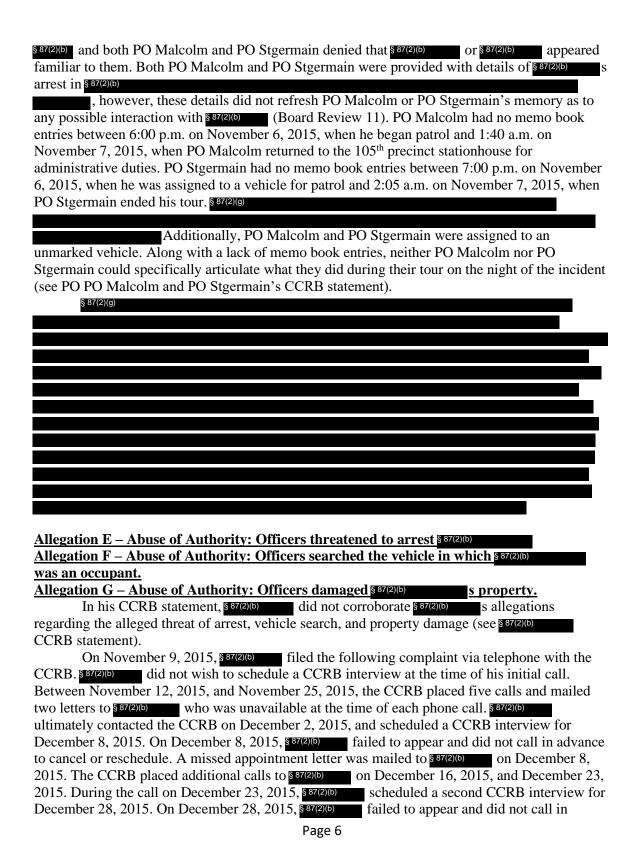
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stop as follows: male, black, standing approximately 5'9", dark hair, stocky build, approximately

24-years-old and dressed in plainclothes, and a Hispanic male with a goatee, a slim build, standing approximately 6'1", in his early or mid-thirties, and dressed in plainclothes. The physical descriptions provided by \$87(2)(b) are very similar to PO Malcolm and PO







advance to cancel or reschedule. Since contacted the CCRB for status updates February 9, 2016. As of February 9, 20 interview as he was too busy to do so.	regarding his complaint on 16, \$87(2)(b) did not wish	January 15, 2016, and	;
§ 87(4-b), § 87(2)(g)			
			İ
Squad:			
Investigator:Signature	Print	Date	
Pod Leader: Title/Signature	Print	Date	
Attorney:	Print	Date	